

Q1 Does the draft guidance cover the relevant issues about the right of access?

- ☐ Yes
- ☐ No
- ☒ Unsure/don't know

If no or unsure/don't know, what other issues would you like to be covered in it?

The draft guidance does cover the relevant issues about the right of access for organisations aspiring to be compliant with GDPR. Justice for Punters (J4P) has substantial volumes of evidence of organisations within the gambling sector that appear to view SARs as an inconvenience, to be dealt with within their own timescales, making unnecessary requests to delay the process in the hope the subject will drop the matter.

Examples include:

- Requesting evidence of identity on receipt of a SAR submitted online despite a customer recently transacting and no change of contact details. Then proceeded to reject clear and accurate ID documents to delay matters even further.
- Insisting a SAR is submitted on a company designed form before action is commenced.
- Repeatedly failing to reply to correspondence.
- Repeatedly failing to provide all data held.
- Erroneously citing 'the prevention or detection of crime' as a reason for not fulfilling a SAR.
- Gambling companies 'playing off' customers by insisting others are data controllers for the information being requested

Much more emphasis should be placed on compliance being a legal requirement and the potential penalties available to the ICO in the event of persistent non compliance.

Q2 Does the draft guidance contain the right level of detail?

- ☐ Yes
- ☐ No
- ☒ Unsure/don't know

If no or unsure/don't know, in what areas should there be more detail within the draft guidance?

Same comments as Q1 apply. In the vast majority of instances the guidance explains clearly what action an organisation should take on receipt of a SAR, within what timescales and in what circumstances an extension to the timetable could apply. The current reality is that a significant number of gambling companies don't follow this clear guidance, make things up for their convenience as they go along and hope nobody holds them to task (which at present is the case).

Q3 Does the draft guidance contain enough examples?

- ☒ Yes
- ☐ No
- ☐ Unsure/don't know

If no or unsure/don't know, please provide any examples that you think should be included in the draft guidance

Q4 We have found that data protection professionals often struggle with applying and defining 'manifestly unfounded or excessive' subject access requests. We would like to include a wide range of examples from a variety of sectors to help you. Please provide some examples of manifestly unfounded and excessive requests below (if applicable).

Not applicable.

Q5 On a scale of 1-5 how useful is the draft guidance?

1 – Not at all  
useful

☐

2 – Slightly  
useful

☐

3 – Moderately  
useful

X

4 – Very useful

☐

5 – Extremely  
useful

☐

Q6 Why have you given this score?

The guidance is useful to compliant organisations but doesn't place sufficient emphasis on potential penalties for non compliance.

Q7 To what extent do you agree that the draft guidance is clear and easy to understand?

Strongly  
disagree

☐

Disagree

☐

Neither agree nor  
disagree

☐

Agree

X

Strongly agree

☐

Q8 Please provide any further comments or suggestions you may have about the draft guidance.

Once this guidance is issued it is our sincere hope that the ICO takes regulatory action against organisations who persistently and deliberately fail to comply with the law.

Q9 Are you answering as:

- ☐ An individual acting in a private capacity (eg someone providing their views as a member of the public)
- ☐ An individual acting in a professional capacity
- ☒ On behalf of an organisation
- ☐ Other

Please specify the name of your organisation:

Justice for Punters (J4P)

What sector are you from:

Voluntary

Q10 How did you find out about this survey?

- ☐ ICO Twitter account
- ☐ ICO Facebook account
- ☐ ICO LinkedIn account
- ☒ ICO website
- ☐ ICO newsletter
- ☐ ICO staff member
- ☐ Colleague
- ☐ Personal/work Twitter account
- ☐ Personal/work Facebook account
- ☐ Personal/work LinkedIn account
- ☐ Other

Thank you for taking the time to complete the survey